

REMARKS

Claims 1-8 have been rejected under 35 USC 103(a) as unpatentable over Gorsuch in view of Jamal. The rejection is respectfully traversed.

In the present invention, the channel resources are assigned to a single mobile station via a common channel description, i.e. as disclosed in the specification and drawings. The individual channel resources are identified by, for example, code numbers, frequency numbers, etc. The additional information about the order of the transmission of data, i.e. the utilization of the channel resources, now enables the receiver to recover data in the order in which it was mapped to the channel resources at the transmitter.

Gorsuch discloses, in the columns cited by the Examiner, a method for assigning channel resources, i.e. a number of fixed rate channels (defined by CDMA codes), to a number of subscriber units. A channel resource assignor assigns the limited number of channel resources among the subscriber units depending on indications of threshold levels of data buffers in each respective subscriber unit and urgency factors. Hence, a number of channels may be assigned to a buffer exceeding the threshold level at a first instance, but released or reduce at a later instance, and assigned to another subscriber unit. Although Gorsuch arguably discloses assigning a number of channels, i.e. CDMA codes, to a single subscriber unit, the reference fails to disclose how such an assignment is signaled from the assignor to the subscriber unit, as required by the claimed invention.

Jamal discloses a method for an implicit resource allocation in a radio communication system. According to Jamal, and the Examiner, a base station of a radio access network transmits parameters in a downlink common control channel, the parameter relating to system identification, base station identifier, cell identifier, common channel information, etc., which enable a mobile station receiving these parameters to subsequently initiate an access procedure to the base station. According to Fig. 4 and the corresponding description in col. 7, lns. 54-59, after having received these parameters, the mobile station decides whether it requires the setup of a dedicated channel resource, and if yes, transmits a request for a traffic channel on an uplink common control channel. From Jamal, it is apparent that one parameter relating to the common control channel refers to a

single uplink access channel for use by the mobile station for requesting an assignment of a traffic channel. As this common control channel is a single channel and not a plurality of channels, the above parameters transmitted by the base station do not include any common channel description, i.e. a description relating to a plurality of channels, and do not include any information relating to an order in which such plurality of channels is used for transmitting data for one transmission direction, as required by the claimed invention.

Since the recited structure and method are not disclosed by the applied prior art (either alone or in combination), claims 1 and 8 are patentable. Claims 2-7, depending from claim 1, are similarly patentable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.

449122010700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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